

**63G-2-601 Rights of individuals on whom data is maintained -- Classification statement --
Notice to provider of information.**

- (1)
 - (a) Each governmental entity shall file with the state archivist a statement explaining the purposes for which a record series that is designated as private or controlled is collected and used by that governmental entity.
 - (b) The statement filed under Subsection (1)(a) is a public record.
- (2)
 - (a) A governmental entity shall provide notice of the following to a person that is asked to furnish information that could be classified as a private or controlled record:
 - (i) the reasons the person is asked to furnish the information;
 - (ii) the intended uses of the information;
 - (iii) the consequences for refusing to provide the information; and
 - (iv) the classes of persons and the governmental entities that currently:
 - (A) share the information with the governmental entity; or
 - (B) receive the information from the governmental entity on a regular or contractual basis.
 - (b) The notice shall be:
 - (i) posted in a prominent place at all locations where the governmental entity collects the information; or
 - (ii) included as part of the documents or forms that are used by the governmental entity to collect the information.
- (3) Upon request, each governmental entity shall explain to a person:
 - (a) the reasons the person is asked to furnish information that could be classified as a private or controlled record;
 - (b) the intended uses of the information referred to in Subsection (3)(a);
 - (c) the consequences for refusing to provide the information referred to in Subsection (3)(a); and
 - (d) the reasons and circumstances under which the information referred to in Subsection (3)(a) may be shared with or provided to other persons or governmental entities.
- (4) A governmental entity may use private or controlled records only for those purposes:
 - (a) given in the statement filed with the state archivist under Subsection (1); or
 - (b) for which another governmental entity may use the record under Section 63G-2-206.

Renumbered and Amended by Chapter 382, 2008 General Session